Case 1:08-cv-06875-NRB Document 12 Filed 04/28/09 Page 1-of-1

PLAINTIFF,

- AGAINST -

08 Civ. 6875 (NRB)

ORDER

ELECTRONICALLY FILED

USDS SDNY
DOCUMENT

DAYBREAK EXPRESS INC., AND NORTHERN TRUCKING AND LOGISTICS CORP.,

DEFENDANTS.

NAOMI REICE BUCHWALD

UNITED STATES DISTRICT JUDGE

It having been reported to this Court that this case has been settled, it is

ORDERED that the above-captioned action be, and hereby is, dismissed without costs and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made within 30 days.

DATED: New York, New York April 28, 2009

NAOMI REICE BUCHWALD UNITED STATES DISTRICT JUDGE